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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,220	10/30/2003	Thomas E. Creamer	BOC9-2003-0050 (421)	9779
40987	7590	07/14/2005	EXAMINER	
AKERMAN SENTERFITT P. O. BOX 3188 WEST PALM BEACH, FL 33402-3188			NGUYEN, QUYNH H	
			ART UNIT	PAPER NUMBER

2642

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/697,220

Applicant(s)

CREAMER ET AL.

Examiner

Quynh H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/30/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/20/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on August 20, 2004 was received. The submission is in compliance with the provisions of 37 CFR 1.97.

Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6, 8-13, and 15-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (U.S. Patent 6,275,575) in view of Chen et al. (Pub. No.: US 2003/0035381).

As to claim 1, Wu teaches within an interactive voice response system (IVRU), a method of aggregating conference calls (col. 2, lines 53-61) comprising the steps of:

registering a caller with the interactive voice response system (col. 2, lines 62-65; col. 3, lines 3-12; and col. 5, line 45 through col. 6, line 4 - *where Wu discussed the conference coordinator selects subscribers for the conference, the software agents generates invitations and forwarded to those selected participants using an IVRU, and the participants who responded positively to conference invitation will be contacted*

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upon commencement of the telephone conference, hence registering a caller with the interactive voice response system);

retrieving contact information from the selected/registered participant's storage means 103 (col. 5, lines 25-29 - *where Wu discussed storage means 103 for storing contact and schedule information such as the participant's daily schedule; and col. 8, lines 41-53 - where Wu discussed retrieving contact information from selected participants);*

at approximately a time of the conference call, automatically calling the telephone number for the conference call (col. 3, lines 22-26 and col. 6, lines 31-35);

establishing contact with the registered caller (col. 3, lines 25-26; col. 5, line 66 through col. 6, line 4; and col. 10, lines 51-53 - *where Wu discussed the telephone conference server initiates calls to the selected participants); and*

joining the registered caller with the conference call (col. 6, lines 3-4).

However, Wu does not explicitly teach accessing a calendar system used by the registered caller to determine teleconference data specifying at least a telephone number for a scheduled conference call.

Chen et al. teach accessing a calendar system used by the registered caller to determine teleconference data specifying at least a telephone number for a scheduled conference call (page 2, [0016], lines 14-24 - *where Chen discussed accessing database 34 is used in conjunction with schedule element 50 to effectuate the conference call set up to determine telephone numbers to establish the conference call).*

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of accessing a calendar system used by the registered caller to determine teleconference data specifying at least a telephone number for a scheduled conference call, as taught by Chen, in Wu's telephone conference system thus making the system more diversity and efficient by extending the ability to set up and control a teleconference by using an IVR for accessing the scheduler/calendar and database in place of the web server to determine teleconference data, for example, telephone numbers to establish the conference call, as discussed by Chen (page 1, [0010]).

As to claim 2, Wu teaches said step of establishing contact further comprising the step of calling the registered caller (col. 3, lines 25-26; col. 5, line 66 through col. 6, line 4; and col. 10, lines 51-53 - *where Wu discussed the telephone conference server initiates calls to the selected participants*).

As to claim 3, Wu does not teach the step of receiving a call from the registered caller.

Chen et al. teach the step of receiving a call from the registered caller (page 1, [0009] and page 3, [0022], lines 1-8).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of a conference participant calls into the teleconference call, as taught by Chen, in Wu's telephone conference system thus making the system more efficient by allowing a participant who wants to join the call is

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not at his or her reach number at the time of conference call to call into a conference call, as taught by Chen (page 3, [0022], lines 4-10).

As to claim 4, Wu teaches obtaining a list of conference call participant and telephone numbers for each conference call participant from the calendar system (col. 5, lines 25-28 - *where Wu discussed storage means 103 or calendar system store contact information and schedule information for conference call participants* and col. 6, lines 17-20 and lines 28-30 - *where Wu discussed the coordinator has provided or obtained participants' name identifier and contact information in order to initiate a telephone conference, hence obtaining a list of conference call participant and telephone numbers for each conference call participant from the calendar system*).

As to claim 5, Wu teaches said step of establishing contact further comprising the step of calling the registered caller (col. 3, lines 25-26; col. 5, line 66 through col. 6, line 4; and col. 10, lines 51-53 - *where Wu discussed the telephone conference server initiates calls to the selected participants*).

As to claim 6, Wu does not teach the step of receiving a call within the interactive voice response system from each conference participant.

Chen et al. teach the step of receiving a call within the interactive voice response system from each conference participant (page 1, [0009] and page 3, [0022], lines 1-8 - *where Chen discussed receiving a call from a participant into platform 30 as voice server 44* and page 1, [0009] - *where Chen discussed a voice server comprising a VRU, hence receiving a call within the interactive voice response system from each conference participant*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of a conference participant calls into the teleconference call, as taught by Chen, in Wu's telephone conference system thus making the system more efficient by allowing a participant who wants to join the call is not at his or her reach number at the time of conference call to call into a conference call, as taught by Chen (page 3, [0022], lines 4-10).

As to claim 8, the limitation of the claim is the same as the limitation of claim 7; therefore, the claim is interpreted and rejected for the same reasons as set forth in claim 7 above. Furthermore, Wu teaches a machine-readable storage, having stored thereon a computer program having a plurality of code sections executable by a machine for causing the machine to perform the steps of claim 8 (col. 2, lines 47-52 - *where Wu discussed network based software application modules: contact lists, calendars, etc. to setup and initiate telephone conference call*; col. 3, lines 3-30 - *where Wu discussed software agents analyzes conference information*; and col. 5, lines 8-37 - *where Wu discussed hardware configuration which include machine readable storage and computer, LDAP software module*).

As to claim 9, the limitation of the claim is the same as the limitation of claim 2; therefore, the claim is interpreted and rejected for the same reasons as set forth in claim 2 above.

As to claim 10, the limitation of the claim is the same as the limitation of claim 3; therefore, the claim is interpreted and rejected for the same reasons as set forth in claim 3 above.

As to claim 11, the limitation of the claim is the same as the limitation of claim 4; therefore, the claim is interpreted and rejected for the same reasons as set forth in claim 4 above.

As to claim 12, the limitation of the claim is the same as the limitation of claim 5; therefore, the claim is interpreted and rejected for the same reasons as set forth in claim 5 above.

As to claim 13, the limitation of the claim is the same as the limitation of claim 6; therefore, the claim is interpreted and rejected for the same reasons as set forth in claim 6 above.

As to claim 15, Wu teaches a system for aggregating conference calls (col. 4, lines 13-19) comprising:

a network (col. 5, lines 8-24) accessible calendar system (Fig. 1, *coordinating server device 102 accessible to schedule information 103 / calendar system*), having calendar data for at least one user, wherein the calendar data specifies times for teleconferences and telephone numbers for the teleconferences (col. 5, lines 25-29 - *where Wu discussed storage means 103 or calendar system for storing contact information and schedule information such as teleconference times for a plurality of subscribers*); and

an interactive voice response system (col. 2, lines 53-61 - IVRU) automatically calls the telephone number for the conference call at approximately a time the teleconference is scheduled (col. 3, lines 22-26 and col. 6, lines 31-35); establishes contact with the user (col. 3, lines 25-26; col. 5, line 66 through col. 6, line 4; and col.

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10, lines 51-53 - *where Wu discussed the telephone conference server initiates calls to the selected participants*); and joins the user to the teleconference (col. 6, lines 3-4).

However, Wu does not explicitly teach an interactive voice response system configured to scan the calendar system data for a scheduled teleconference and obtain teleconference data specifying at least a telephone number for the scheduled teleconference.

Chen et al. teach an interactive voice response system configured to scan the calendar system used by the registered caller to determine teleconference data specifying at least a telephone number for a scheduled conference call (page 2, [0016], lines 14-24 - *where Chen discussed a voice server comprising a VRU is used in conjunction with CTI server 32 and schedule element 50 to effectuate the conference call set up to determine telephone numbers to establish the conference call*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of accessing a calendar system used by the registered caller to determine teleconference data specifying at least a telephone number for a scheduled conference call, as taught by Chen, in Wu's telephone conference system thus making the system more diversity and efficient by extending the ability to set up and control a teleconference by using an IVR for accessing the scheduler/calendar and database in place of the web server to determine teleconference data, for example, telephone numbers to establish the conference call, as discussed by Chen (page 1, [0010]).

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As to claim 16, Wu teaches a system for aggregating conference calls (col. 4, lines 13-19) comprising:

means for registering a caller with the system (col. 2, lines 62-65; col. 3, lines 3-12; and col. 5, line 45 through col. 6, line 4 - *where Wu discussed the software agents resident within the memory of coordinating server device 102 selects subscribers for the conference, generates invitations and forwarded to those selected participants using an IVRU, and the participants who responded positively to conference invitation will be contacted upon commencement of the telephone conference, hence means (software agents) for registering a caller with the interactive voice response system*);

retrieving contact information from the selected/registered participant's storage means 103 (col. 5, lines 25-29 - *where Wu discussed storage means 103 for storing contact and schedule information such as the participant's daily schedule*; and col. 8, lines 41-53 - *where Wu discussed retrieving contact information from selected participants*);

means for, at approximately a time of the conference call, automatically calling the telephone number for the conference call (col. 3, lines 22-26 and col. 6, lines 31-35 - *where Wu discussed a telephone conference server / the coordinator calling terminal devices for which the selected participants have access*);

means for establishing contact with the registered caller (col. 3, lines 25-26; col. 5, line 66 through col. 6, line 4; and col. 10, lines 51-53 - *where Wu discussed the telephone conference server initiates calls to the selected participants*); and

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means for joining the registered caller with the conference call (col. 6, lines 3-4 - *where Wu discussed the telephone conference server coordinate the conference as the participants joint the teleconference*).

However, Wu does not explicitly teach means for accessing a calendar system used by the registered caller to determine teleconference data specifying at least a telephone number for a scheduled conference call.

Chen et al. teach means accessing a calendar system used by the registered caller to determine teleconference data specifying at least a telephone number for a scheduled conference call (page 2, [0016], lines 14-24 - *where Chen discussed accessing database 34 is used in conjunction with schedule element 50 to effectuate the conference call set up to determine telephone numbers to establish the conference call*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the means for accessing a calendar system used by the registered caller to determine teleconference data specifying at least a telephone number for a scheduled conference call, as taught by Chen, in Wu's telephone conference system thus making the system more diversity and efficient by extending the ability to set up and control a teleconference by using an IVR for accessing the scheduler/calendar and database in place of the web server to determine teleconference data, for example, telephone numbers to establish the conference call, as discussed by Chen (page 1, [0010]).

As to claim 17, Wu teaches said step of establishing contact further comprising the step of means for calling the registered caller (col. 3, lines 25-26; col. 5, line 66 through col. 6, line 4; and col. 10, lines 51-53 - *where Wu discussed the telephone conference server initiates calls to the selected participants*).

As to claim 18, Wu does not teach means for receiving a call from the registered caller.

Chen et al. teach means for receiving a call from the registered caller (page 1, [0009] and page 3, [0022], lines 1-8 - *where Chen discussed the caller call into the platform 30*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the means for receiving a call from the caller, as taught by Chen, in Wu's telephone conference system thus making the system more efficient by allowing a participant who wants to join the call is not at his or her reach number at the time of conference call to call into a conference call, as taught by Chen (page 3, [0022], lines 4-10).

As to claim 19 Wu teaches means for obtaining a list of conference call participant and telephone numbers for each conference call participant from the calendar system (col. 5, lines 25-28 - *where Wu discussed storage means 103 or calendar system store contact information and schedule information for conference call participants*; and col. 6, lines 17-20 and lines 28-30 - *where Wu discussed the coordinator has provided or obtained participants' name identifier and contact information in order to initiate a telephone conference, hence means for obtaining a list*

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of conference call participant and telephone numbers for each conference call participant from the calendar system).

As to claim 20, Wu teaches means for calling the registered caller (col. 3, lines 25-26; col. 5, line 66 through col. 6, line 4; and col. 10, lines 51-53 - *where Wu discussed the telephone conference server initiates calls to the selected participants*).

As to claim 21, Wu does not teach means for receiving a call within the interactive voice response system from each conference participant.

Chen et al. teach means for receiving a call within the interactive voice response system from each conference participant (page 1, [0009] and page 3, [0022], lines 1-8 - *where Chen discussed receiving a call from a participant into platform 30 as voice server 44 and page 1, [0009] - where Chen discussed a voice server comprising a VRU, hence means for receiving a call within the interactive voice response system from each conference participant*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the means for receiving a call within the interactive voice response system from each conference participant, as taught by Chen, in Wu's telephone conference system thus making the system more efficient by allowing a participant who wants to join the call is not at his or her reach number at the time of conference call to call into a conference call, as taught by Chen (page 3, [0022], lines 4-10).

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4. Claims 7, 14, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (U.S. Patent 6,275,575) in view of Chen et al. (Pub. No.: US 2003/0035381) and further in view of Zhakov et al. (Pub. No.: US 2004/0199580).

As to claim 7, Wu and Chen do not teach authenticating each conference call participant prior to joining each conference call participant to the conference call.

Zhakov et al. teach authenticating each conference call participant prior to joining each conference call participant to the conference call (page 8, [0077], lines 4-6).

It would have been obvious to one of ordinary skill in the art at the time the invention was made the feature of authenticating each conference call participant prior to joining each conference call participant to the conference call, as taught by Zhakov, in Wu's and Chen's systems thus making the system more secure and efficient by only allowing authorized participants to engage in or access to certain conference sessions but not any participants who are calling into the conference system, as discussed by Zhakov et al. (page 8, [0075]).

As to claims 14 and 22, the limitation of the claim is the same as the limitation of claim 7; therefore, the claim is interpreted and rejected for the same reasons as set forth in claim 7 above.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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King et al. (U.S. Patent 5,872,841) teach apparatus and method for scheduling a telephone call.

Yunoki (U.S. Patent 5,408,518) teaches teleconference system featuring a call-up.

Blinken et al. (U.S. Patent 4,796,293) teach enhanced dedicated teleconferencing system.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-7489. The examiner can normally be reached on Monday - Thursday from 6:15 A.M. to 4:45 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Quynh H. Nguyen

**Quynh H. Nguyen
Patent Examiner
Art Unit 2642**